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4 BILL NO. G-75-03- 19

5 GENERAL ORDINANCE NO. G- 09-75

6 AN ORDINANCE amending General Ordinance No. G-97
7 by authorizing the vacation of a portion of
8 Sandhill Drive

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 SECTION 1. Petition for the vacation of a portion of Sandhill Drive
12 having been filed with the Fort Wayne City Plan Commission on February 24, 1975
13 following a public hearing thereon, all in accordance with Section 44, Chapter 174,
14 of the Acts of the General Assembly of the State of Indiana, as amended by Section
15 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana
16 (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set
17 forth in General Ordinance No. G-97 adopted by the Common Council of the City of
18 Fort Wayne on November 26, 1963, is amended by deleting the following portion of
19 Sandhill Drive, Allen County, Indiana, to-wit:

20 A portion of Sandhill Drive - a street in Earth Industrial Park, a
21 platted subdivision in the City of Fort Wayne. Starting at the South-
22 east corner of Lot # 6 in Earth Industrial Park, thence in a South-
23 westerly direction approximately 209.9 feet thence approximately
24 60 feet in a Southerly direction, thence approximately 209.9 feet
25 in a Easterly direction, thence approximately 60 feet in a Northerly
26 direction to the point of beginning.

27 SECTION 2. After passage of this Ordinance, approval by the Mayor
28 and legal publication, a duly certified copy of this Ordinance, of the recommenda-
29 tion of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall
30 be transmitted by the City Clerk to the Board of Public Works of the City of Fort
31 Wayne, Indiana.

32 SECTION 3. This Ordinance shall be in full force and effect from and
33 after its passage, approval by the Mayor and legal publication thereof.

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Eugene Kraus
Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Fraus, seconded by Hengaw, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197____, at _____ o'clock P.M., E.S.T.

Date: 3/11/75

Charles W. Westerterman
CITY CLERK

Read the third time in full and on motion by Fraus, seconded by Talarico, and duly adopted, placed on its passage.
Passed (~~1975~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT
TOTAL VOTES	<u>9</u>	<u>0</u>			
BURNS	<u>✓</u>				
HINGA	<u>✓</u>				
KRAUS	<u>✓</u>				
MOSES	<u>✓</u>				
NUCKOLS	<u>✓</u>				
SCHMIDT, D.	<u>✓</u>				
SCHMIDT, V.	<u>✓</u>				
STIER	<u>✓</u>				
TALARICO	<u>✓</u>				

DATE: 3-25-75

Charles W. Westerterman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (General) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution), No. B-09-75 on the 25th day of March, 1975.

ATTEST:

(SEAL)

Charles W. Westerterman
CITY CLERK

James Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A. M., E.S.T.

Charles W. Westerterman
CITY CLERK

Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P. M., E.S.T.

Jack A. Leary
MAYOR

Bill No. G-75-03-19

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation of a
portion of Sandhill Drive

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance do PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

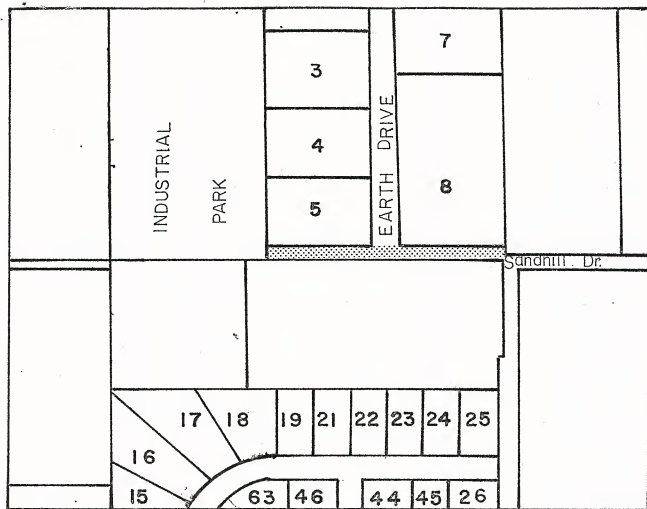
Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

MADE A MATTER OF RECORD

DATE 3-25-75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

February 28, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

A portion of Sandhill Drive - a street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne. Starting at the southeast corner of Lot # 6 in Earth Industrial Park, thence in a southwesterly direction approximately 209.9 feet, thence approximately 60 feet in a Southerly direction, thence approximately 209.9 feet in an easterly direction, thence approximately 60 feet in a Northerly direction to the point of beginning.

which was approved by the City Plan Commission at its regular meeting held February 24, 1975.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of February, 1975.

Charles N. Hall
Secretary



R E S O L U T I O N

WHEREAS, Thomas E. Lawson, Treasurer - Contracting Projects in Land, Inc., Jack K and Jean Dunifon, and Marie Keintz, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

A portion of Sandhill Drive - a street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne. Starting at the Southeast corner of Lot # 6 in Earth Industrial Park, thence in a Southwesterly direction approximately 209.9 feet thence approximately 60 feet in a Southerly direction, thence approximately 209.9 feet in a Easterly direction, thence approximately 60 feet in a Northerly direction to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on February 24, 1975, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street or alley hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

PETITION TO VACATE SANDHILL DRIVE

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

BOARD OF PUBLIC WORKS
CITY OF FORT WAYNE, INDIANA

The undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne, Indiana, to vacate the following described portion of a street within the City of Fort Wayne, Allen County, Indiana, to-wit:


A portion of Sandhill Drive - a street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne. Starting at the Southeast corner of Lot # 6 in Earth Industrial Park, thence in a Southwesterly direction approximately 209.9 feet thence approximately 60 feet in a Southerly direction, thence approximately 209.9 feet in a Easterly direction, thence approximately 60 feet in a Northerly direction to the point of beginning.

Your petitioners represent that:

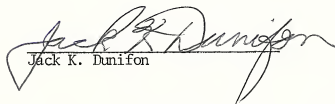
1. That they are the owners of all the real estate abutting on both sides of a portion of the street herein sought to be vacated.
2. That no other person, firm or corporation is interested in or affected by the requested vacation.
3. That this vacation is to comply with the platting of Earth Industrial Park, Section II.
4. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

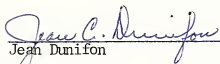
WHEREFORE, your Petitioners pray that that portion of the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.



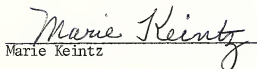
Thomas E. Lawson
Treasurer
Contracting Project in Land, Inc.



Jack K. Dunifon



Jean Dunifon



Marie Keintz

TITLE OF ORDINANCE Street Vacation Ordinance 5-75-03-19

COMMUNITY DEVELOPMENT AND PLANNING

DEPARTMENT REQUESTING ORDINANCE Division of Long Range Planning and Zoning

SYNOPSIS OF ORDINANCE _____

Petitioners are requesting the vacation of the following described street:

A portion of Sandhill Drive, lying south of Lot # 6 Industrial Park, and extending
west from Earth Drive approximately 210 feet

EFFECT OF PASSAGE Street is unopened and unimproved. If vacation, street

will be utilized by abutting property owners.

EFFECT OF NON-PASSAGE Street will remain as is.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) Regulation JH



CITY OF FORT WAYNE

FORT WAYNE, INDIANA

CHARLES W. WESTERMAN
CITY CLERK

March 27, 1975

Miss Helen Libbing
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of March 31 and April 7, 1975, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Bill No. G-75-03-16
General Ordinance No. G-06-75

Bill No. G-75-03-17
General Ordinance No. G-07-75

Bill No. G-75-03-18
General Ordinance No. G-08-75

Bill No. G-75-03-19
General Ordinance No. G-09-75

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman
City Clerk

CWW/ne
Encl: 4

Common Council of Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

104

Tail number of lines

2

Total number of lines in notice

107

COMPUTATION OF CHARGES

LEGAL NOTICE

Notice is hereby given that on the 25th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-75-03-19 G-09-75 General Ordinance, to-wit:

General Ordinance No. G-09-75
AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Sandhill Drive BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Sandhill Drive having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 33744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 24, 1963, is amended by deleting the following portion of Sandhill Drive, Allen County, Indiana, to-wit:

A portion of Sandhill Drive — a street in Earth Industrial Park, a platified subdivision in the City of Fort Wayne, starting at the Southeast corner of Lot No. 6 in Earth Industrial Park, thence in a South-westerly direction approximately 209.9 feet thence approximately 40 feet in a Southerly direction, thence approximately 209.9 feet in a Easterly direction, thence approximately 40 feet in a Northerly direction to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Krauth,
Councilman
Read the third time in full and on motion by Krauth, seconded by Talarico, and duly adopted, placed on its passage. PASSED BY THE FOLLOWING VOTE:
Ayes: Nine
Burns, Hingo, Krauth, Moses, Nuckolls, D. Schmidt, V. Schmidt, Stier, Talarico.
Nays: None.
Date: 3:25 P.M.

CHARLES W. WESTERMAN, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-09-75 on the 25th day of March, 1975.

ATTEST: (SEAL)
Charles W. Westerman, James S. Stier
City Clerk, Presiding Officer
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P.M., E.S.T.

IVANA LEBAMOFF, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above foregoing is a true, true and complete copy of General Ordinance No. G-09-75 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and adopted by the Mayor on the 26th day of March, 1975 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.
CHARLES W. WESTERMAN, City Clerk

SEAL 351-47

lines, 1 columns wide equals 107 equivalent lines at .288¢ cents per line

\$30.82

al charge for notices containing rule or tabular work (50 per cent of above

or extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$32.32

ING COST

single column 11 ems

Size of type 5½ point

of insertions. 2

Size of quad upon which type is cast 5½

ision and penalties of Ch. 89, Acts 1967,

the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just part of the same has been paid.

V. E. Gerken

, 19 75.

Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken who, being duly sworn, says that, She is Clerk

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two

times, the dates of publication being as follows:

3/31 & 4/7/75

Subscribed and sworn to before me this

7th April 19 75

V. E. Gerken

G. M. P. Rourke

Notary Public

My commission expires October 25, 1975

Common Council of Fort Wayne
(Governmental Unit)To NEWS-SENTINEL Dr.Allen County, Ind.FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	<u> </u>
Head number of lines	<u>1</u>
Body number of lines	<u>104</u>
Tail number of lines	<u>2</u>
Total number of lines in notice	<u>107</u>

COMPUTATION OF CHARGES

<u>107</u> lines, <u>1</u> columns wide equals <u>107</u> equivalent lines at <u>.288¢</u> cents per line	<u>\$30.82</u>
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	<u> </u>
Charge for extra proofs of publication (50 cents for each proof in excess of two)	<u>1.50</u>
TOTAL AMOUNT OF CLAIM	<u>\$32.32</u>

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5 1/2 pointNumber of insertions 2Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. GerkenDate April 7, 19 75Title Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County ss.Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. Gerken, who, being duly sworn, saysthat she is Clerk of theNEWS-SENTINELa DAILYnewspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANAto state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for twotimes, 8 the dates of publication being as follows:3/31 & 4/7/75Subscribed and sworn to before me this 7th day of April, 19 75V. E. Gerken
Emma C. Reinde

Notary Public

My commission expires October 25, 19751 COPY OF
EMENT HERE

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head number of lines

1

Body number of lines

104

Tail number of lines

2

Total number of lines in notice

107

COMPUTATION OF CHARGES

LEGAL NOTICE

Notice is hereby given that on the 25th day of March, 1975, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. G-99-75-03-19 G-99-75 General Ordinance, to-wit:

BILL NO. G-99-75-03-19

General Ordinance No. G-99-75

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Sandhill Drive.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Sandhill Drive having been filed with the Fort Wayne City Plan Commission on February 24, 1975 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 37-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Sandhill Drive, Allen County, Indiana, to-wit:

A portion of Sandhill Drive — a street in Earth Industrial Park, a platted subdivision in the City of Fort Wayne, starting at the Southeast corner of Lot No. 6 in Earth Industrial Park, thence in a Southwesterly direction approximately 209.9 feet thence approximately 40 feet in a Southerly direction, thence approximately 209.9 feet in a Southerly direction, thence approximately 40 feet in a Northerly direction to the point of beginning.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Eugene Kraush, Councilman
Read the third time in full and on motion by Kraush, seconded by Talarico, and duly adopted, placed on its passage.
PASSED by the following vote:
Ayes: Nine,
Burns, Henge, Kraush, Moses, Nuckolls, D. Schmidt, V. Schmidt, Siler, Talarico.
Nays: None.
Date: 3-29-75

CHARLES W. WESTERMAN, City Clerk
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-99-75 on the 25th day of March, 1975.

ATTEST (SEAL)
Charles W. Westerman, James S. Siler City Clerk, Presiding Officer of the City of Fort Wayne, Indiana, on the 26th day of March, 1975, at the hour of 10:00 o'clock A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk
Approved and signed by me this 26th day of March, 1975, at the hour of 3:00 o'clock P.M., E.S.T.

IVANA LEBAMOFF, Mayor
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-99-75 passed by the Common Council on the 25th day of March, 1975, and that said Ordinance was duly signed and approved by the Mayor on the 26th day of March, 1975 and now remains on file and on record, in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 26th day of March, 1975.

CHARLES W. WESTERMAN, City Clerk

SEAL
3-31-47

es 1 columns wide equals 107 equivalent lines at .2884
ts per line

\$ 30.82

charge for notices containing rule or tabular work (50 per cent of above

extra proofs of publication (50 cents for each proof in excess of two)

7.50

TOTAL AMOUNT OF CLAIM

\$ 32.32

G COST

gle column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

Arvilla DeWald
Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the

undersigned ARVILLA DEWALD who, being duly sworn, says,

that she is CLERK of the

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

3/31 & 4/7/75

Subscribed and sworn to before me this 7th day of April 1975

Arvilla DeWald
Notary Public

My commission expires October 25, 1975

Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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COMPUTATION OF CHARGES

107 lines, 1 columns wide equals 107 equivalent lines at .288¢
cents per line

\$ 30.82

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 32.32

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type. 5½ point

Number of insertions. 2

Size of quad upon which type is cast. 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date April 7, 1975

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana }
ALLEN County } as:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

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